Application No.: 10/748,698 5 Docket No.: 01329/0200613-US0

REMARKS

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

Status of the Claims

Claims 1-7 and 9-12 are pending. Claim 8 has been cancelled without prejudice or disclaimer of the subject matter contained therein.

Claims 1, 3, and 11 have been amended. Support for the amendments to claims 1, 3, and 11 can be found in the Specification page 3, lines 7-13, Figures 2a, 3, and 4a, and the originally-filed claim 3.

Claim 12 has been added. Claim 12 recites the features of claim 8 in independent form and includes its base and any intervening claims.

No new matter has been added.

Allowable Subject Matter

Applicant appreciatively acknowledges the Examiner's indication of the allowable subject matter recited in claim 8. Applicant has recited the features of claim 8 to be in independent form as new claim 12. Applicant submits that new claim 12 is in condition for allowance.

Rejection under 35 U.S.C. §102

Claim 11 stands rejected under 35 U.S.C. §102(b) as being anticipated by Japanese Patent Publication No. 06-224824 to Suzuki. The Examiner contends that Suzuki discloses a wireless call

6 Docket No.: 01329/0200613-US0

Application No.: 10/748,698

deliver column receiver 6 having a piezoelectric transducer 10 that causes one side of the receiving antenna 7 to vibrate, thus allowing the receiver 6 to function as a "sounding body." See, Suzuki, paragraph 0005 and Figure 1B. The Examiner contends that the receiving antenna 7 and piezoelectric transducer 10, respectively, read on the features "at least one planar antenna" and "at least one piezoelectric element attached to the planar element" of claim 11.

Applicant has amended claim 11 to recite features of dependent claim 3. Specifically, Applicant has amended claim 11 to recite that the planar antenna of the integrated radio telephone structure comprises "a radiating plane of said antenna comprising a first branch and a second branch to produce two different frequency bands."

In contrast, Suzuki fails to disclose or suggest an antenna that has "a first and second branch to produce two different frequency bands" as recited in claim 11. At best, Suzuki's horseshoe-shaped receiving antenna 7 would suggest two symmetrical branches, which would result in two **identical** operational bands. See, Suzuki, paragraph 5, claim 1, and Constitution. However, this neither discloses nor suggests two branches each having **different** frequency (*i.e.*, separate operation) bands. Thus, Suzuki neither discloses, nor suggests, the radiating plane of the antenna as recited in claim 11.

Because amended claim 11 recites subject matter found in original claim 3, Applicant submits that amended claim 11 recites subject matter which has already been searched by the Examiner.

As demonstrated above, Applicant submits that Suzuki fails to disclose each and every feature recited in claim 11. Therefore, Suzuki does not anticipate the invention recited in claim 11. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Application No.: 10/748,698 7 Docket No.: 01329/0200613-US0

Rejection under 35 U.S.C. §103

Claims 1-4 and 10-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 6,198,206 to Saarma et al. ("Saarma") in view of Suzuki.

As noted above, Applicant has amended independent claim 11 to recite that the planar antenna of the integrated radio telephone structure comprises "a radiating plane of said antenna comprising a first branch and a second branch to produce two different frequency bands." A similar amendment has been made to independent claim 1.

Applicant submits that the combination of Saarma and Suzuki fails to disclose, or suggest, an antenna that has a first and second branch to produce two different frequency bands. As discussed above with respect to independent claim 11, and equally applicable to amended claim 1, Suzuki's horseshoe-shaped receiving antenna 7 would, at best, suggest two symmetrical branches, which would result in two **identical** operational bands. However, Suzuki neither discloses, nor suggests, two branches each having different frequency (*i.e.*, separate operation) bands. Furthermore, Saarma neither discloses, nor suggests, having an antenna with two branches to produce two different frequency bands. Therefore, neither Saarma nor Suzuki, either individually or in combination, disclose each and every feature recited in independent claims 1 and 11.

Claims 2-4 depend from claim 1. Applicant submits that dependent claims 2-4 are therefore patentable for at least the same reasons as discussed above with respect to independent claim 1.

Claims 5-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Saarma and Suzuki in view of U.S. Patent No. 5,410,749 to Siwiak et al. ("Siwiak").

Application No.: 10/748,698 8 Docket No.: 01329/0200613-US0

With respect to claim 5, the Examiner acknowledges that the combination of Saarma and Suzuki fails to disclose that the antenna comprises a ground plane. The Examiner relies on Siwiak as disclosing "a radio communication device having a microstrip antenna comprising a planar antenna element having first and second major surfaces, and a ground plane coupled to the planar antenna element, reading on the claimed "antenna comprises a separate ground plane, said planar element being the ground plane" (figure 2 and column 1 lines 55-59)." (Detailed Action, item 7, page 10.)

With respect to claim 6, the Examiner acknowledges that the combination of Saarma and Suzuki fails to disclose piezoelectric elements attached to the ground plane. The Examiner relies on Siwiak as disclosing "first and second feeders, which may be conductive materials, that extend from the second surface of the planar antenna element and in the ground plane, reading on the claimed "piezoelectric element is attached to the ground plane at a first fixedly supported end thereof, and the structure further comprises a second piezoelectric element which is attached to the ground plan at a second fixedly supported end thereof" (figure 2 and column 3 lines 55-58)." (Detailed Action, item 7, page 11.)

With respect to claim 7, the Examiner acknowledges that the combination of Saarma and Suzuki fails to disclose that the cellular phone comprises a vibration oscillator and that a piezoelectric element is coupled to the oscillator and generates alarm vibration. The Examiner relies on Siwiak as disclosing that "[t]he first and second feeders are present to electrically couple signals intercepted by the planar antenna element with primary receiver element circuits which comprise a conventional RF amplifier, a local oscillator, a mixer, and associated filters, reading on the claimed "radio telephone comprises a vibration oscillator, a piezoelectric element being coupled

Application No.: 10/748,698 9 Docket No.: 01329/0200613-US0

to the vibration oscillator, whereby said periodic moving of the planar element is generation of alarm vibration" (figure 2, figure 5, column 1 lines 55-59, column 3 lines 55-58 and column 3 lines 60-65)." (Detailed Action, item 7, page 12.)

Claims 5-7 depend from independent claim 1, and each recites features in addition to those recited in independent claim 1. Applicant submits that Siwiak fails to disclose or suggest the features of claims 5-7 demonstrated to be missing from Saarma and Suzuki, as discussed above with respect to independent claim 1. Thus, the combination of Saarma, Suzuki, and Siwiak fails to disclose or suggest each and every feature recited claims 5-7. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Saarma and Suzuki in view of U.S. Patent No. 6,927,732 to Mähringer.

The Examiner relies on Mähringer as disclosing a "receiver circuit [that] emits an acoustic wave, reading on the claimed 'sound waves coming from outside the planar element,' when the receiving antenna receives a wireless call signal (paragraph 8.)" (Detailed Action, Item 8, pages 12-13.)

Claim 9 depends from independent claim 1, and recites features in addition to those recited in independent claim 1. Applicant submits that Mähringer fails to disclose or suggest the features of claim 9 demonstrated to be missing from Saarma and Suzuki as discussed above with respect to independent claim 1. Thus, the combination of Saarma, Suzuki, and Mähringer fails to disclose or suggest each and every feature recited in claim 9. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Application No.: 10/748,698 10 Docket No.: 01329/0200613-US0

CONCLUSION

Each and every point raised in the Final Office Action dated May 4, 2006 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-7 and 9-12 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: September 5, 2006

Respectfully submitted,

Richard J. Katz

Registration No.: 47,698

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant